



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE October 16, 2020 EFFECTIVE DATE October 31, 2020	CONTACT/PHONE Holly Phipps hhipps@co.slo.ca.us (805)781-1162	APPLICANT Jon Roth	FILE NO. DRC2019-00265
SUBJECT A request by Jon Roth for a Minor Use Permit (DRC2019-00265) to allow the construction of a 600-square-foot guesthouse with an attached 2,000-square-foot garage. San Luis Obispo County Code Section 22.30.410.E.2 states that a guesthouse shall be located no more than 50 feet from the principle residence. The applicant is requesting a modification to Section 22.30.410.E.2 to locate the guesthouse 61 feet from the principle residence. This request also includes the construction of a 3,000-square-foot expansion to an existing 3,994-square-foot workshop. San Luis Obispo County Code Section 22.30.410.G.2 states that a workshop shall not occupy an area greater than 40% of the floor area of the principle structure, except where the workshop is combined with a garage. The applicant is requesting a modification of Section 22.30.410.G.2 to allow a 6,994-square-foot workshop, which will exceed 100% of the floor area of the 3,097-square-foot principle structure. Since the workshop currently exceeds and is proposed to further exceed the square foot allowance, a Minor Use Permit is required. The project will result in the disturbance of 0.22 acres of a 68-acre parcel. The proposed project is within the Agricultural land use category and is located at 2225 Kit Fox Lane located approximately 1/2 mile east of the City of Paso Robles. The project site is in the El Pomar-Estrella Sub Area North County planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Conditional Use Permit DRC2019-00162 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on September 02, 2020 for this project. Mitigation measures are proposed to address Biological Resources and are included as conditions of approval.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Airport Review, and Flood Hazard	ASSESSOR PARCEL NUMBER 026-441-013	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Paso Robles Airport Review Area <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Exterior Lighting, Setbacks, Residential Accessory Uses – Guest Houses <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			

EXISTING USES:

3,097-square-foot primary residence, 1,690-square-foot farm support quarters, tennis court with clubhouse, agricultural accessory structure (used to store tractors and ag supplies, barn that predates building permits requirements of 1970, oversized 3,994-square-foot workshop

SURROUNDING LAND USE CATEGORIES AND USES:

North: Agriculture / Single Family Residences

East: Agriculture / Single Family Residences

South: Agriculture / Single Family Residences

West: Agriculture / Single Family Residences

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
 COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:

The project was referred to: Public Works, Building Department, Cal Fire/ County Fire, Environmental Health, Agriculture Department, Paso Airport Land Use Commission, CA Department Fish and Wildlife, and Native American Consultation

TOPOGRAPHY:

Relatively flat

VEGETATION:

None at project site; packed DG; property includes 30 acres hay for grazing sheep & lamas

PROPOSED SERVICES:

Water supply: On-site well

Sewage Disposal: Individual septic system

Fire Protection: Cal Fire / County Fire Department

ACCEPTANCE DATE:

December 19, 2019

PROJECT DESCRIPTION:

A request by Jon Roth for a Minor Use Permit (DRC2019-00265) to allow the construction of a 600-square-foot guesthouse with an attached 2,000-square-foot garage. San Luis Obispo County Code Section 22.30.410.E.2 states that a guesthouse shall be located no more than 50 feet from the principle residence. The applicant is requesting a modification to Section 22.30.410.E.2 to locate the guesthouse 61 feet from the principle residence. This request also includes the construction of a 3,000-square-foot expansion to an existing 3,994-square-foot workshop. San Luis Obispo County Code Section 22.30.410.G.2 states that a workshop shall not occupy an area greater than 40% of the floor area of the principle structure, except where the workshop is combined with a garage. The applicant is requesting a modification of Section 22.30.410.G.2 to allow a 6,994-square-foot workshop, which will exceed 100% of the floor area of the 3,097-square-foot principle structure. Since the workshop currently exceeds and is proposed to further exceed the square foot allowance, a Minor Use Permit is required.

PROJECT HISTORY:

- PMT2013-02979 – Construction permit for a 3,097-square-foot residence; pool permit under review PMTR2018-02000
- PMT2008-01697 – Tennis court
- PMT2008-00501 – Clubhouse
- PMT2008-01461 – Agricultural accessory structure

- PMT2008-01697 – Mobile home residence
- PMTC2019-00319 – Agricultural accessory structure used to store tractors and farm supplies
- 1959 barn that predates building permit requirements of 1970
- PMTC2019-00319 – Oversized 3,994-square-foot workshop subject to this Minor Use Permit; permit under review

PLANNING AREA STANDARDS:

Section 22.94.020.A – Airport Review Area Combining Designation Standards

All discretionary land use permits must be found consistent with the Paso Robles Municipal Airport Land Use Plan adopted by the San Luis Obispo County Airport Land Use Commission.

Staff comments: The proposed project is the construction of a 600-square-foot guesthouse with an attached 2,000-square-foot garage and the construction of a 3,000-square-foot expansion to an existing 3,994-square-foot workshop. The maximum height of the proposed workshop expansion onto oversized workshop 25 feet. The maximum height of guest with attached garage is 14 feet. Project is consistent with the Paso Robles Municipal Airport Land Use Plan.

LAND USE ORDINANCE STANDARDS:

Section 22.30.410: Residential Accessory Uses – Guesthouses

San Luis Obispo County Code Section 22.30.410.E.2 states that a guesthouse shall be located no more than 50 feet from the principle residence or as otherwise approved through Minor Use Permit. A guesthouse or home office (sleeping or home office facilities without indoor connection of the living area of a principal residence) may be established as a use accessory to a residence. The guesthouse may contain a living area, a maximum of two bedrooms and one bathroom. The living area may include a wet bar, limited to a single sink and an under-counter refrigerator that are not located in a separate room. The maximum floor area allowed is 600 square feet.

Staff comments: A guesthouse is a permitted use on this site and complies with this standard. The proposed guesthouse is 61 feet from the principal residence and the applicant is requesting a modification of the distance standard with this Minor Use Permit.

Section 22.30.410.G.2. Workshops Floor Area

San Luis Obispo County Code Section 22.30.410.G.2 states that a workshop shall not occupy an area greater than 40% of the floor area of the principle structure, except where the workshop is combined with a garage.

Staff Comments: This project includes a request for the construction of a 3,000-square-foot expansion to an existing 3,994-square-foot workshop. The applicant is requesting a modification of Section 22.30.410.G.2 to allow a 6,994-square-foot workshop, which will exceed 100% of the floor area of the 3,097-square-foot principle structure. Since the workshop currently exceeds and is proposed to further exceed the square foot allowance, a Minor Use Permit is required.

Section 22.30.410.G.1. Limits of Use

San Luis Obispo County Code Section states that an accessory structure may be constructed or used as a workshop or studio in any residential category solely for non-commercial hobbies or amusements; for maintenance of the principal structure or yards; for artistic endeavors such as painting, photography or sculpture; maintenance or mechanical work on vehicles owned or operated by the occupants; or for other similar purposes.

Staff Comments: The expanded workshop will continue to be used as a solely for non-commercial hobbies and amusements; including maintenance of the principal structure and landscape; for maintenance and mechanical work on vehicles owned or operated by the occupants; or for other similar purposes. The workshop will not be used for any commercial activity.

Section 22.10.060: Exterior Lighting

All lighting fixtures, including security lighting, shall be aimed and shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Staff comments: The proposed project is conditioned to comply with this project.

Section 22.10.140: Setbacks to Property Lines

The required front setback for this site is 25 feet. The required side setbacks are 30 feet each, and the required rear setback is 30 feet.

Staff comments: The proposed guesthouse location will meet the required property line setbacks.

COMMUNITY ADVISORY GROUP COMMENTS:

The project is not located with a community advisory group purview area.

AGENCY REVIEW:

Public Works – Response indicated that the project is located within the Paso Robles Groundwater Basin and must follow the adopted water conservation requirements. Response indicated that the site may be located within the City of Paso Robles Sphere of Influence per Memorandum of Agreement. The applicant is encouraged to meet with the City to determine what improvement fees would be applicable. Response also indicated that a drainage plan is required prior to future submittal of development permits. (Grim, December 11, 2019)

Building Division – Response indicated that building permits are required. (Stoker, December 2019)

Cal Fire/ County Fire – Response indicated that the project will be subject to Fire Code review with the submittal of a Building permit. (Wells, December 2019)

Environmental Health – No comments (Terry, December 2019)

Agriculture Department – Response indicated that site does not appear to support commercial crop production. It appears the proposed development is consistent with policies and designed to minimize impacts to on and off-site agricultural resources (Auchinachie, December 2019)

Paso Airport Land Use Commission – No response received

CA Department Fish and Wildlife – Kit Fox Evaluation was review by the Department (Marquez, August 2020) which resulted in a Kit Fox score of 61, which requires that all impacts to kit fox habitat be mitigated at a ratio of 2 acres conserved for each acre impacted (2:1). The project will result in the permanent disturbance of 9,583-square-feet (0.22-acres) of kit fox habitat.

Native American Consultation – No response received

LEGAL LOT STATUS:

The lot was legally created by a tract map at a time when that was a legal method of creating lots.

Staff report prepared by Holly Phipps and reviewed by Lacey Minnick.